

## **EXHIBIT 8**

**Rick Snyder  
201 S. Main Street, Suite 1000  
Ann Arbor, MI 48104**

May 25, 2021

***VIA EMAIL***<grossic@michigan.gov>

Christina Grossi, Deputy Attorney General  
Michigan Department of the Attorney General  
G. Mennen Williams Building  
525 W. Ottawa Street  
P.O. Box 30212  
Lansing, MI 48909

**Re: Response to Your Letter of May 21, 2021 to Brian Lennon**

Dear Deputy Attorney General Grossi:

I hope this letter finds you well. Yesterday I received a copy of your recent letter to my attorney, Brian Lennon. Thank you for acknowledging that I remain a client of the Michigan Department of Attorney General and that you and Assistant Attorneys General Richard Kuhl, Peter Manning and others on AG Nessel's side of the conflict wall are still my attorneys in the Flint Water civil litigation. As you state in your letter and I acknowledge, AAG Kuhl and his colleagues have represented me and the State of Michigan in an exemplary and professional manner throughout the civil litigation. I see that Judge Levy has scheduled a status conference in the case for this Wednesday, May 26. I would like to speak with the AAG representing me in that hearing preferably today, before the May 26 status conference, and then again after the status conference, which I do not plan to attend.

In your recent letter to Mr. Lennon, it appears that you are continuing to refuse to make my civil attorneys on the Flint Water matter available to my retained criminal counsel copied on this letter. Your explanation for this is troubling.

First, I am well aware that the AAGs who have so capably represented me in the civil litigation cannot represent me in the criminal case. I have never asked for that and I am not asking for that now. I am not asking for AAG Kuhl or any of his colleagues to file an appearance on my behalf in either the criminal case pending in Genesee County or in U.S. Bankruptcy Court in Detroit. And while it is helpful to know that Chief Legal Counsel to AG Nessel, John VanDeventer, will be responding for the Department in U.S. Bankruptcy Court, that does not explain why I am being denied access to the AAGs who have been representing me – on your side of the conflict wall. I have legitimate questions about how my attorney-client communications with them, my various legal counsel at the EOG, and my retained civil and criminal counsel in Flint Water matter were protected? And what information or warnings about the privileged and/or federal court protected

nature of that information was communicated – as I assume it was – to the Department personnel on the opposite side of the conflict wall who seized and now have disclosed it?

Second, your inference or concern that my pending Contempt Motion in U.S. Bankruptcy Court could be directed toward the attorneys who have been so capably representing me is equally troubling. Surely you or someone from your office by now must have determined how this happened. If AAG Kuhl or any of his would have been responsible in any way for the breaches of the federal orders described in my Contempt Motion, I would have expected to hear from that lawyer or you, or the Attorney General herself well before we filed the motion in U.S. Bankruptcy Court. Indeed, in your correspondence last week with Mr. Lennon you appear to acknowledge that the Department personnel on the opposite side of the conflict wall are the ones likely responsible for the breach. That makes sense. Who specifically is responsible, however, remains unclear. That is one of the reasons why I want to speak confidentially with my lawyers in the Department representing me in the Flint Water civil litigation, as it appears my privileged communications with them and protected work product has also been provided to other defendants and their counsel who should not have it.

To assuage any concerns of yours or AG Nessel's that I am asking AAG Kuhl or his colleagues to improperly assist me with my criminal defense, as you suggest, here are seven questions you can answer this week:

**Question #1:** Does Attorney General Nessel acknowledge that I am a current client of the Department of the Attorney General on her side of the conflict wall?

**Question #2:** Do you acknowledge that the Department of Attorney General on AG Nessel's side of the conflict wall, as my attorneys, owe me a duty of loyalty?

**Question #3:** Do you acknowledge that the Department of Attorney General has never informed me of any circumstances or conflict of interest – actual or perceived -- that would materially limit the ability of my attorneys in the Department to represent me? If this is incorrect, please identify that communication for me.

**Question #4:** Did my attorneys at the Department know that when I left the Executive Office of Governor that the materials and data left in their custody contained privileged materials and information protected by the U.S. Bankruptcy Court's mediation and confidentiality orders?

**Question #5:** When the search warrants were executed by SG Hammoud and her team on the opposite side of the conflict wall, did my attorneys in the Department inform/warn those who seized the data that it contained privileged and federal court protected materials? If so:

- Who did so, and to whom did they inform/warn?
- When and how did they inform SG Hammoud or her team of this?
- What was communicated and how did the prosecution team respond?

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**Question #6:** Did any of my lawyers in the Department ask SG Hammoud, Prosecutor Worthy, or anyone on their team whether they planned to use a taint or “filter” team, special master, or some other procedural safeguard to segregate the privileged and federal court protected materials they seized from the materials properly available to the investigative and prosecution teams? If so:

- Who made this inquiry?
- To whom was it made?
- When and how was this inquiry made?
- What was communicated and how did the prosecution team member respond?

**Question #7:** Under whose authority can you or AG Nessel deny me and my retained criminal defense counsel access to my Flint Water civil lawyers working for the Department?

These are fair questions, which I expect to have answered this week. I look forward to hearing from you.

Very truly yours,



Rick Snyder

RS/AS

Cc: Hon. Dana Nessel, Attorney General  
AAG Peter Manning  
Brian P. Lennon, Warner Norcross + Judd LLP  
Charles Ash, Warner Norcross + Judd LLP  
Judith Gracey, Gracey Law